

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUIS RAFAEL FIGUEROA, JR.,

Plaintiff,
-against-

MERRICK B. GARLAND, in his official capacity as the Attorney General of the United States and Head of United States Department of Justice and,
UNITED STATES MARSHALS SERVICE,

Defendants.

ADMINISTRATIVE ORDER
1:21-cv-7849-GHW

IT APPEARING that the plaintiff in the case of *Figueria v. Garland*, 1:21-cv-7849-GHW, has significant ties to the United States District Court for the Southern District of New York (the “SDNY”), in that he was employed as a Detention Enforcement Officer for the United States Marshals Service (the “USMS”) in the SDNY at the time of the events that form the basis of the complaint; and

IT FURTHER APPEARING that the people accused of discriminating against the plaintiff, and others who had knowledge of the alleged discriminatory acts, are officers of the USMS who serve and protect the judges of the SDNY; and

IT FURTHER APPEARING that the alleged discriminatory acts occurred in the SDNY during the time plaintiff was employed as a Detention Enforcement Officer for the USMS in the SDNY; and

WHEREAS, on the basis of the foregoing, pursuant to 28 U.S.C. § 455, the Honorable Gregory H. Woods, United States District Judge for the SDNY, to whom the case was assigned, has disqualified himself from presiding over this case and the undersigned has determined that all other judges of this district would similarly be disqualified for the reasons set forth above;

IT IS THEREFORE DETERMINED that, pursuant to 28 U.S.C. § 455, the United States District Judges of the SDNY should not preside over this case; and

IT IS THEREFORE REQUESTED that the Chief Judge of the United States Court of Appeals for the Second Circuit designate a district judge from within the Second Circuit but outside the SDNY, pursuant to 28 U.S.C. § 292(b), to perform the duties of a district judge for the SDNY

temporarily for the specific case *Figueredo v. Garland*, 1:21-cv-7849-GHW, and all related matters.

Dated: September 5, 2023
New York, New York



LAURA TAYLOR SWAIN, U.S.D.J.
Chief Judge